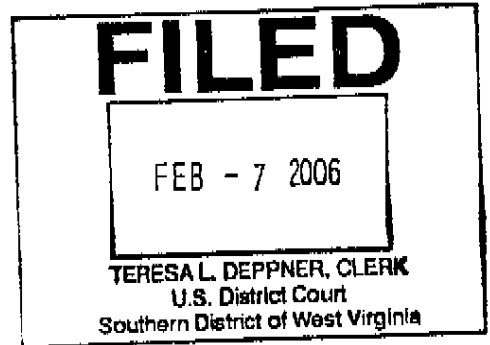


*United States District Court*  
For the Southern District of West Virginia



Robert Baldwin, Reg no. 07163-071  
Luther Necessary, Reg no. 03004-088  
Curtis E. Crawford, Reg no. 10624-007  
Beckley Federal Correction Institution  
P.O. Box 350  
Beaver, West Virginia 25813  
Plaintiff

v.

Civil No. 5:06-0093

John Doe AKA Director  
Federal Bureau of Prisons  
320 First Street, N.W.  
Washington, D.C. 20001

John Doe AKA Regional Director  
10010 Junction Drive  
Annapolis Junction, Maryland

Charles T. Felt, Warden  
Beckley Federal Correction Institution  
P.O. Box 350  
Beaver, West Virginia 25813  
Each sued in Personal and Professional Capacity  
Defendants.

MOTION FOR EMERGENCY Injunction and

Restraintment ORDER; Complaint Pursuant

To 42 U.S.C. § 1983.

Statement of Fact

PLAINTIFF/PETITIONERS both Collectively and Individual have been denied Adequate and Proper Dental Service and Treatment, whereby Prison Director, Regional Director, and Warden Charles T. Felt have acted Negligent, incompetent, and deliberate indifferent to Plaintiff and more than (100) one hundred other inmates.

Defendants individually and Collectively have created an hostile environment, that has seriously impaired Plaintiff Health and Life.

PLAINTIFF/PETITIONER'S are being told by Dentist, whom was hired by Defendants; that they can not receive Dentures for (2) Two year or more. This is Cruel and very

UNUSUAL Punishment and is very inhumane  
 Punishment, plus in violation of Program  
 Statements and inmate Constitutional Rights  
 under The (8<sup>th</sup>) eighth Amendment of The  
 Constitution of The United States.

### Public Interest

It was not The intent of The United  
 States Congress, That any Federal inmate  
 shall suffer denial and/or deprivation of  
 Denture for substantial Period of Time  
 nor for The Federal Bureau of Prisons  
 to hire Dentist, Company, Organization or  
 otherwise whom would restrict and act  
 to deprive inmate's Dental Service and  
 Treatments in timely Fashion.

### INMAL-Pense Relief

The Prison Director and Regional Director have Collectively and Individually violated 28 C.F.R. § 91, by Failure to Protect The Plaintiff Rights to Dental Treatment and Services.

### NOT ISOLATED Problems

The Medical Director in Berkeley FCI is acting in CA-Hoots with Prison Dentists, and has done nothing to correct or improve situation. The Prison Warden is in CA-Hoots and conspiracy with both Medical Director and Dentists to deny and deprive inmates of reasonable and timely Dental Treatment and Services to include Denture.

### UNCONSTITUTIONAL TREATMENT

ALL PLAINTIFF HAVE DIFFICULTIES BITING, CHEWING, AND DIGESTING THEIR FOOD, BECAUSE THEY ARE BEING DENIED DENTURES UNLAWFULLY AND IN DIRECT VIOLATION OF THEIR CIVIL AND CONSTITUTIONAL RIGHTS. THE DENTIST IS NOT MONITORED, AND ALLOWED BY THE DEFENDANTS TO DENY AND REFUSE INMATE'S THEIR LAWFUL RIGHT TO ADEQUATE AND COMPREHENSIVE DENTAL TREATMENT AND CARE.

### UNREASONABLE WAITING PERIODS

PLAINTIFF ARE BEING TOLD BY DENTIST, THAT THEY HAVE TO WAIT (3) THREE YEARS OR MORE FOR DENTURE. THIS IS INHUMANE TREATMENT, AND CRUEL AND UNUSUAL PUNISHMENT

6.

For inmates under the custody of the United States Attorney General and Director of the Federal Bureau of Prisons. Where inmates can be transfer to local hospital, for dental services and treatment not available at Beckley FCI.

### Court Order Sought

1. Court Order issued Directing CLASS ACTION Memorandum, to be Posted in each housing unit and in medical unit visited to inmate population
2. Court Order issued Appointing CLASS Counsel.
3. Court Order issued Prohibition of Reprisal and Retaliation against class member,

with Punishment of Fine not less than  
\$2500.00 Twenty-Five hundred dollars and  
Jail time as designated by The Court

4. Court Order issued to assign MASTER to  
Report to Court and inspect Dental Records.
5. Court Order issued Injunction and Restraining-  
ment Order to limit Denture Request to  
not more than 90 day's.
6. Court Order issued for Prison Director to  
Certify to Court in Affidavit, that inmate's  
at Beckley FCI are being Provide Dentures  
and other Dental service in timely manner
7. Court Order issued to allow The Court to  
Review all contracts with Dentist for  
inmate treatments to ensure Comfortably

with the law.

8. Court Order issued to allow Court to Review all Contracts with Medicaid Services and its Employees.

### Relief Sought

1. Court Order issued Emergency Injunction and Restraintment Order and Class Counsel
2. Court Order issued Certification of Class
3. Compensatory Damages in Amount \$1,000.00  
One Thousand Dollar's
4. Punitive Damages Equal to Compensatory damage or as designated by Court.
5. Court Order issued to Prison Director directing Plaintiffs and Class receive denture without delay at Cook Hospital, Pursuant 28 C.F.R. § 91

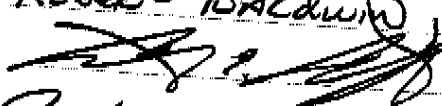


Certification of Truth

I (we) certify that the above statement is  
True and Correct, Pursuant to 28 U.S.C. § 1746.

Certification of Service

I (we) certify that this Motion for Emergency  
Injunction + Restraining, and Complaints under 42 U.S.C. § 1983  
was forwarded to the Clerk on this 2<sup>d</sup> day of  
February 2006 via Prepaid Postage.

Respectfully Submitted  
Luther Necessary, 03004-088  
Luther Necessary, 03004-088  
Robert Baldwin 07163-027  
Robert Baldwin, 07163-071  
  
Curtis E. Crawford, 10620-007  
Beckley, FCI  
P.O. Box 350  
Beckley, West Virginia 25813